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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,751	12/22/2000	Glen E. Salmon	1280.2001-000	4709

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EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
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2126

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DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/747,751

Applicant(s)

SALMON, GLEN E.

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**ETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

**As to the claim 4**, “ a Uniform Resource Locator” was not described in the specification.

***Claim Rejections - 35 USC § 103***

2. Claims **1-3, 5-11, 13-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dundon (US. Patent 6,253,257 B1) in view of Goldberg et al (US. Patent 6,496,833 B1).

**As to claim 1**, Dundon teaches an application (a client node, col 3, ln 5-50/ application 116, 134, col 4, ln 45-67), a request (a request / command, col 3, ln 5-50/ calls, col 4, ln 45-67/ the invoked API col 5,ln 5-50/ col 6, ln 15-32), functionality (the API, col 5, ln 5-50/ col 6, ln 5-32/ ln 55-68), a first component (libraries/ first programming environment, col 5, ln 5-50/ col 6, ln 55-68), a portion of the functionality (the function, col 6, ln 15-32), application programming interface (API, col 6, ln 15-32/ col 6, ln 35-68), an indication( specified, col 5, ln 1-67, col 6, ln 10-32, detect, col 4, ln 45-68), an augmentation component( remote programming environment, col 5, ln 5-67, col 6, n 6, ln 55-68), loaded augmentation component( loading the selected libraries, col 7, ln 1-21).

Dundon does not teach querying. However, Goldberg teaches a query object/ query result (col 5, ln 65-57 to col 6, ln 1-7).

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It would have been obvious to apply the teaching of Goldberg in order retrieve the desired information, which meets the characteristics specified in the query.

**As to claim 2**, Dundon teaches looking (searching, col 6, ln 1-32), the augmentation component (library 120, col 3, ln 30-50), the application (application 116, ln 30-50).

**As to claim 3**, Dundon teaches a network (network agent 130, fig. 1, col 3, n 65-68(o col 4, ln 1-10).

**As to claim 5**, Dundon teaches a catalog (library list, col 5, ln 5-61).

**As to claim 6**, Dundon teaches the catalog (library list, col 5, ln 5-61), the first request (the API, col 3, ln 30-60/ col 7, ln 1-27).

**As to claim 7**, Dundon teaches the catalog the catalog (library list, col 5, ln 5-61), the specific request (the API, col 3, ln 30-60/ col 7, ln 1-27).

**As to claim 8**, Dundon teaches the databases (the database management system, col 3, ln 29-50).

**As to an apparatus of claim 9**, see the rejection of claim 1.

**As to an apparatus of claim 10**, see the rejection of claim 2.

**As to an apparatus of claim 11**, see the rejection of claim 3.

**As to an apparatus of claim 13**, see the rejection of claim 5.

**As to an apparatus of claim 14**, see the rejection of claim 6.

**As to an apparatus of claim 15**, see the rejection of claim 7.

**As to an apparatus of claim 16**, see the rejection of claim 8.

**As to an apparatus of claim 17**, see the rejection of claim 1.

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**As to a computer program of claim 18**, refer to the rejection of claim 1. Further, Dumon teaches a computer (computer, col 2, ln 60-67), set of computer program instruction (the application program component 114, col 3, ln 30-50).

**As to a computer data signal of claim 19**, see the rejection of claim 1.

3. Claims **4,12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dundon (US. Patent 6,253,257 B1) in view of Goldberg et al (US. Patent 6,496,833 B1) in view of Ramos et al (US. Patent 5,896,533).

**As to claim 4**, Dundon does not teach a Uniform Resource Locator. However, Ramos teaches Uniform Resource Locator (URL)(col 2, ln 30-44).

It would have been obvious to apply the teaching of Ramos to Dundon in order to establish the proper connection once the protocol is identified and established.

**As to the apparatus of claim 12**, see the rejection of claim 4.

#### **4. Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

Fax phone: AFTER\_FINAL faxes must be signed and sent to: (703) 746-2738, OFFICIAL faxes must be signed and send to: (703) 746-7239, NON OFFICIAL faxes should not be signed, please send to: (703) 746-7240

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 9000.

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LeChi Truong  
October 3, 2003

A handwritten signature in black ink, appearing to read 'JF', is written over the printed name and date.

JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100